MONTHLY HIGHLIGHTS

NOAA
NATIONAL MARINE FISHERIES SERVICE
NORTHEAST REGION
HABITAT CONSERVATION DIVISION

August 2000

GLOUCESTER, MA OFFICE, ONE BLACKBURN DRIVE, GLOUCESTER, MA 01930

ESSENTIAL FISH HABITAT (EFH) COORDINATION

NMFS staff conducted a meeting and workshop with the Army Corps of Engineers (ACOE) New York District Planning Division. The meeting focused on the EFH Consultation process to be used for civil works projects based upon the January 2000 "Findings" letter developed with the ACOE North Atlantic Division. The workshop provided detailed guidance to ACOE staff on the technical components of an EFH Assessment. To assist the ACOE in producing quality EFH Assessments, NMFS staff has drafted an EFH Assessment Worksheet. The worksheet is organized in a question and answer format to easily identify EFH that may be impacted by a particular project, describe the characteristics of the project site, assess the potential impacts of the project on EFH and provide the ACOE's determination of the degree of impact the project will have on EFH. The New York District Planning Division has agreed to utilize this worksheet on a trial basis so that we can evaluate its effectiveness. It is anticipated that the EFH Assessment Worksheet will have wide-spread use within the ACOE as well as other Federal action agencies. **(Lou Chiarella, 978/281-9277; Lou.Chiarella@noaa.gov)**

EFH STEERING COMMITTEE

The EFH Steering Committee met in August in response to concerns raised by NMFS field office staff regarding impacts to habitat of managed species due to a lack of EFH designations in some estuarine areas. The EFH Steering Committee discussed the progress being made by the Northeast Fishery Science Center in analyzing state fishery data sets for use in refining EFH designations as well as the prioritization of this analysis. The Steering Committee has recommended a three-step process for deciding on EFH designation priorities: 1) Identify areas for which EFH designations are lacking. 2) Determine a process for identifying which areas lacking EFH designations should be addressed first. Examples of factors that should be considered include current development pressures and whether the area is estuarine or nearshore. This process would be applied to the list of areas without EFH designations to determine the order in which they should be addressed. 3) Develop a method for determining which of these areas should be designated EFH, when we don't have consistent time-series data available.

Members of the Steering Committee are in the process of identifying the areas being impacted due to lack of EFH designations and substantiating the importance of these areas as EFH. **(Lou Chiarella, 978/281-9277, Lou.Chiarella@noaa.gov; Dianne Stephan, 978/281-9397)**

JAMES J. HOWARD MARINE SCIENCES LABORATORY, HIGHLANDS, NJ 07732

HACKENSACK MEADOWLANDS SPECIAL AREA MANAGEMENT PLAN (SAMP)

The members of the SAMP Negotiating team and the Environmental Impact Statement (EIS) Subcommittee met at the US Fish and Wildlife Service's Office in Hadley, MA to discuss the remaining outstanding issues of concern about the SAMP. These included the fill cap, the banking of unmet needs, biological monitoring and NEPA requirements. Several issues were clarified and tentatively resolved. Several chapters of the EIS including the implementation chapter and the 404 B1 analysis still need to be revised. A conference call of the Principal is planned for early September. **(Pete Colosi, 978/ 281-9102; Stan Gorski, 732/ 872-3037 or Karen Greene, 732/ 872-3023)**

EMPIRE LTD./MEADOWLANDS MILLS PROJECT

The ACOE released the draft EIS for the Empire Ltd./Mills Corporation's proposed mixed use development in the Hackensack Meadowlands. This highly controversial project involves filling between 134 to 206 acres of wetlands for the construction of a value-oriented mega-mall, office space, a hotel, warehousing and transit facilities. NMFS has opposed permit issuance since the original public notice was issued in 1996. The comment period for the EIS closes on October 11, 2000. **(Karen Greene, 732/ 872-3023)**

BARNEGAT BAY NATIONAL ESTUARY PROGRAM

HCD staff attended the monthly Management Committee meeting. The focus of the meeting was the Comprehensive Conservation and Management Plan (CCMP) for the Barnegat Bay watershed. The deadline for the completion of the CCMP is approaching rapidly, and several components of the plan are in need of some refinement. The response to public comments and the monitoring chapter was distributed for review. The final component of the Characterization Report is planned for distribution in the near future. Several chapters of the report are already on the program's web-site. There was also discussion with the Barnegat Bay Watershed Foundation (formerly the Barnegat Bay Watershed Association) about integrating the Foundation and the Estuary Program for the implementation of the CCMP. **(Karen Greene, 732/ 872-3023)**

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MOHEGAN TRIBE AQUACULTURE PROPOSAL

Staff have participated in a series of pre-application coordination meetings with the Mohegan Tribal Nation (MTN) to discuss their eastern Long Island Sound shellfish aquaculture proposal.

Conceptual plans for the project include a mix of bottom cage and off-bottom grow-out facilities and a floating upweller system on shellfish leases currently owned, or proposed for lease, by the MTN. The proposal has the potential to affect up to 245 of the 1,572 acres of leased bottom held by the MTN. The NMFS has raised concerns with portions of the project which may be located within or adjacent to navigation channels, fishing fairways, eelgrass beds, lobster fishing, open access areas and shallow nearshore environments. Embayments which may be affected by the activity include Stonington Harbor, Mystic Harbor, Niantic Bay and the Pawcatuck River. Staff continue to meet with the MTN to identify measures to avoid and minimize adverse impacts and prevent conflicting use issues before they arise. **(Cori M. Rose or Michael Ludwig, 203/ 579-7004; Cori.M.Rose@noaa.gov, Michael.Ludwig@noaa.gov)**

JAMAICA BAY FEDERAL NAVIGATION PROJECT

Staff recently completed review of the administrative record and EFH assessment for the upcoming maintenance dredging of the Jamaica Bay Federal Navigation Project. This project entails dredging the outer portions of the navigation channel and depositing the dredged material on nearby eroded beaches as nourishment. Project timing and other pertinent details that were included in the administrative record and EFH assessment resulted in a minimal adverse effect determination for this project cycle. **(Diane Rusanowsky, 203/ 579-7004; Diane.Rusanowsky@noaa.gov)**

HOLYOKE POWER PROJECT BIOLOGICAL OPINION

NMFS modified its draft biological opinion (B0) for the Holyoke Hydroelectric Project in response to comments from the Federal Energy Regulatory Commission (FERC), Northeast Utilities (NEU) and the U.S. Fish and Wildlife Service, and filed the final document with the FERC on August 15, 2000. Based on the NMFS' review of the Final Environmental Impact Statement and the available scientific information, the BO concludes that the operation of the hydro project is likely to jeopardize the continued existence of the Connecticut River distinct population segment of shortnose sturgeon. The draft BO provides Reasonable and Prudent Alternatives (RPA) and terms and conditions of an incidental take statement which must be implemented to improve upstream passage efficiency, as well as, secure safe and effective downstream passage for the downstream movement of shortnose sturgeon. **(Cori M. Rose, 203/ 579 -7004; Cori.M.Rose@noaa.gov, or Carrie McDaniel at 978/ 281-9388; Carrie.McDaniel@noaa.gov.)**

SAG HARBOR BREAKWATER REHABILITATION

Staff have reviewed the EFH assessment for the subject federal project, which is going to bid in September, 2000. The project entails rebuilding the breakwater from a barge using clean, quarried stone blocks. Unusable rock from the existing breakwater will be placed at an existing artificial reef site maintained by the New York State Department of Environmental Conservation. An earlier plan to construct a new site in the Peconic Bay system was abandoned. Construction specifications have been developed by the New York District, ACOE to protect eelgrass and emergent marsh vegetation adjacent to the site. **(Diane Rusanowsky, 203/ 579-7004; Diane.Rusanowsky@noaa.gov.)**

SHORTNOSE STURGEON FISH PASSAGE FACILITIES RESEARCH UPDATE

The NMFS is a cooperating agency with the Electric Power Research Institute, Alden Research Laboratories and Northeast Utilities Services Company in the design and implementation of applied fish passage facility research for shortnose sturgeon. A permit for scientific purposes under Section 10 of the Endangered Species Act was received in July. The testing program will provide information which is specifically identified as the highest priority for management and recovery of the Connecticut River shortnose sturgeon distinct population segment, including the identification of what fish passage facility design and operating conditions are necessary to maximize biological effectiveness of shortnose sturgeon diversion around dams in the Connecticut River system. Testing of shortnose sturgeon and American eel will commence on or about the second week of September. **(Cori M. Rose, 203/ 579-7004; Cori.M.Rose@noaa.gov.)**

I-90 CONNECTOR PROPOSED IN NORTH GREENBUSH, NEW YORK

Preliminary contact was made by consultants preparing a Draft Environmental Impact Statement for the proposed construction of a connector highway that would link the existing I-90 with Troy, New York. The work would involve a number of stream crossings in a partially developed corridor in Rensselaer County, New York. Staff have provided preliminary information requested by the project proponents and will continue to follow this proposal as the project is better defined. **(Diane Rusanowsky, 203/ 579-7004; Diane.Rusanowsky@noaa.gov.)**

RHODE ISLAND MARINA EXPANSION

Milford Staff continue to oppose authorization of a conceptual plan for expansion of the Greenwich Bay Marina (GBM) in Apponaug Cove, RI. The plan describes easterly expansion of the existing marina through the construction of an estimated 1060 linear feet of concrete wave attenuator or wave fence and installation of floating docks to provide 257 additional slips (approximately 7.0 acre expansion). As proposed, the structures would extend over 1000 linear feet waterward of the existing bulkhead. The NMFS continues to recommend that the expansion of the GBM complex be denied on the basis that the project is "contrary to the public interest" because: 1) there is not an outstanding public need or adequate justification for the proposed expansion, 2) the project has the potential to result in adverse environmental impacts which are likely to result in degradation of the value of the aquatic environment for future public use, and 3) there are reasonable and practicable alternatives with less impact to the aquatic environment. **(Cori M. Rose, 203/ 579-7004; Cori.M.Rose@noaa.gov.)**

WILLIS AVENUE BRIDGE RECONSTRUCTION

Staff have reviewed the scoping documents for an Environmental Impact Statement being prepared by the Federal Highway Administration in cooperation with the New York State Department of Transportation. The activity under consideration is a proposal to rehabilitate, reconstruct, or replace the Willis Avenue Bridge. The bridge is aligned over the Harlem River in Bronx and New York Counties, New York. The New York City Department of Transportation (NYCDOT) has been charged with the responsibility to coordinate with NMFS to verify that EFH concerns are addressed. To date, that contact has not been made with the Milford Field Office; however, we expect to meet with the NYCDOT to discuss EFH ramifications during development of the Draft Environmental Impact Statement. **(Diane Rusanowsky, 203/ 579-7004; Diane.Rusanowsky@noaa.gov.)**

REGIONAL FISH SCREEN CRITERIA

Milford staff completed a first draft of a regional guidance document establishing fish screen criteria at pump intake facilities less than 0.6 million gallons per day. This document will provide guidance and criteria to be utilized by agency personnel and project proponents during planning and design of intake screens at projects which seek to divert fresh or brackish water for purposes such as irrigation, industrial water supply, or power plants. The Northeast Region Habitat Conservation Division's objective in developing these guidelines is to ensure that such water withdrawals are undertaken in a manner which first avoids, then minimizes, the adverse impact of entrainment and impingement to important fishery resources. **(Cori M. Rose, 203/ 579-7004; Cori.M.Rose@noaa.gov.)**

MOVABLE SPAN PROPOSED OVER SLOOP CHANNEL

Staff have reviewed the Design Report/Environmental Assessment for a proposed bridge replacement project (Wantagh State Parkway over Sloop Channel) in southern Long Island, Nassau County, New York. The Draft Design report was prepared by the Federal Highways Administration in cooperation with the New York State Department of Transportation. Bluefish and flounder are among the EFH species that occur in the immediate project vicinity. To date, Federal Highways Administration has not conveyed an EFH Assessment or a preliminary determination regarding potential impacts to EFH. We look forward to the necessary coordination in the coming months, perhaps early in FY2001. **(Diane Rusanowsky, 203/ 579-7004; Diane.Rusanowsky@noaa.gov.)**

FISHERIES HABITAT ENHANCEMENT IN THE THAMES RIVER

Due to unavoidable impacts associated with shoreline development for the City of New London's waterfront promenade, the NMFS recommended, and the ACOE required mitigation which entails the installation and monitoring of vertical subtidal habitat in the form of a "reef ball" or "bay ball" enhancement system. The structures will need to be monitored for a period of at least five years from the point of deployment and the NMFS is seeking to facilitate a cooperative agreement between the City of New London and the University of Connecticut Estuarine Research Center to provide long-term monitoring of the structure. The NMFS is seeking a detailed monitoring effort of the "reef ball/bay ball" deployment in the Thames River because it is the first such application of the technology in Long Island Sound waters. This information will be particularly useful to the NMFS and the state fisheries management agency in determining if additional deployments would be in the best interest of aquatic resources in other disturbed estuarine environments. **(Cori M. Rose, 203/ 579-7004; Cori.M.Rose@noaa.gov)**

HABITAT CONSERVATION DIVISION STAFF MEET WITH ACOE

Representatives of the Gloucester, Milford, and Sandy Hook Field Offices met with representatives of the New York District ACOE Planning and Operations and Maintenance Divisions to discuss the finer points of what is expected in an EFH assessment and how old projects would be handled pursuant to meeting our mutual EFH responsibilities. Of particular concern were long term federal projects that had completed planning and appropriations before the EFH designations were made. Since they are contractors to the ACOE or have cooperating agency status on some of the projects in question, several consultants and representatives of the Port Authority of New York and New Jersey were also present at the informal coordination meeting as observers. Since federal civil works projects do not receive a permit, per se, the definition of what constituted a completed action appeared to have been viewed differently by

NMFS and the New York District. We seem to have resolved some of those differences and have agreed on how to proceed. **(Michael Ludwig or Diane Rusanowsky, 203/ 579-7004; Michael.Ludwig@noaa.gov; Diane.Rusanowsky@noaa.gov.)**

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WOODROW WILSON BRIDGE

The Baltimore District ACOE signed a Clean Water Act Section 404 permit for the Woodrow Wilson Bridge Project on July 27, 2000. Permits were also issued by Virginia and Maryland. Construction of the $2 billion dollar project will result in two new side-by-side drawbridges (12 lanes total) across the Potomac River at Alexandria, Virginia, as well as four new interchanges in Maryland and Virginia. Project impacts include loss of more than 60 acres of wetlands and aquatic resources and 110 acres of forest. The project will also generate 550,000 cubic yards of dredged material, which is to be disposed of at an approved upland location. The ACOE permit also requires completion and implementation of a mitigation package, including the removal of 21 fish blockages in the Rock Creek and Anacostia watersheds, planting 20 acres of submerged aquatic vegetation in the lower Potomac, enhancing 15 acres of tidal wetlands along the Anacostia River, and creating/restoring/preserving wetlands at a number of additional sites in Virginia and Maryland. The project has been the subject of ongoing interagency coordination since 1997. **(John Nichols, 410/ 226-5771)**

SITE 104

Site 104, an open water diposal in Chesapeake Bay that was used from 1924 through 1974, was under consideration for future use to supplement the diminishing capacity of existing spoil sites associated with Baltimore Harbor dredging. However, Maryland's Governor recently announced that further consideration of use of Site 104 would be terminated because of the presence of trace amounts of contaminants in channel sediments. Ironically, open water disposal sites adjacent to Pooles Island continue to be used for the deposition of channel sediments. **(Tim Goodger, 410/ 226-5771)**

POPLAR ISLAND

Phase II of the Poplar Island restoration project has been initiated. When completed, the "Beneficial Use of Dredged Material" project will total approximately 1200 acres. Following completion of spoil disposal operations, the site will be developed into upland and wetland habitats in an approximately 50:50 ratio. **(Tim Goodger, 410/ 226-5771)**